



T R I B A L   N A T I O N S

# Acquisition Process

## Bureau of Indian Affairs



# What is the Buy-Back Program?

- The Land Buy-Back Program for Tribal Nations is a collaborative effort – involving the Department of the Interior, tribes, and individual landowners - to reduce the number of fractional interests in tracts of trust or restricted Indian land. Fractionated tracts are defined as any tract with more than one landowner.
- The Buy-Back Program was created to implement the Indian land consolidation component of the Cobell Settlement, which provided a \$1.9 billion fund to purchase, for a 10 year period, fractional interests from willing sellers at fair market value. Purchased interests will remain in trust, and ownership will immediately be transferred to the tribe with jurisdiction over the land.
- Interior has identified more than 2.9 million fractional interests on approximately 150 reservations that are purchasable by the Buy-Back Program. Nearly 90% of these purchasable interests are located within 40 of the 150 reservations.
- Participation in the Buy-Back Program is strictly voluntary.

# Why is Indian land consolidation important?



Reducing fractionation and restoring land ownership to tribes:

- Facilitates reservation economic development and beneficial land use
- Preserves the tribal land base
- Strengthens tribal sovereignty and self-determination



Bad River development project resulting from land consolidation programs

# Land Acquisition



There are four phases of the Buy-Back Program at each reservation:



**Land Acquisition** is the process of purchasing interests in fractionated tracts valued in phase 3 from willing sellers.

# What are the steps in the Acquisition phase?



- Land values are obtained from the Office of the Special Trustee for American Indians (OST)– Office of Appraisal Services (OAS), and loaded into the new Buy-Back Program module of the Trust Asset Accounting Management System (TAAMS).
- Criteria (including tribal acquisition priorities) are applied to generate purchase offer packages in TAAMS, which are printed and mailed to landowners.



**Outreach to landowners is conducted in collaboration with tribes before and after purchase offer packages are mailed.**

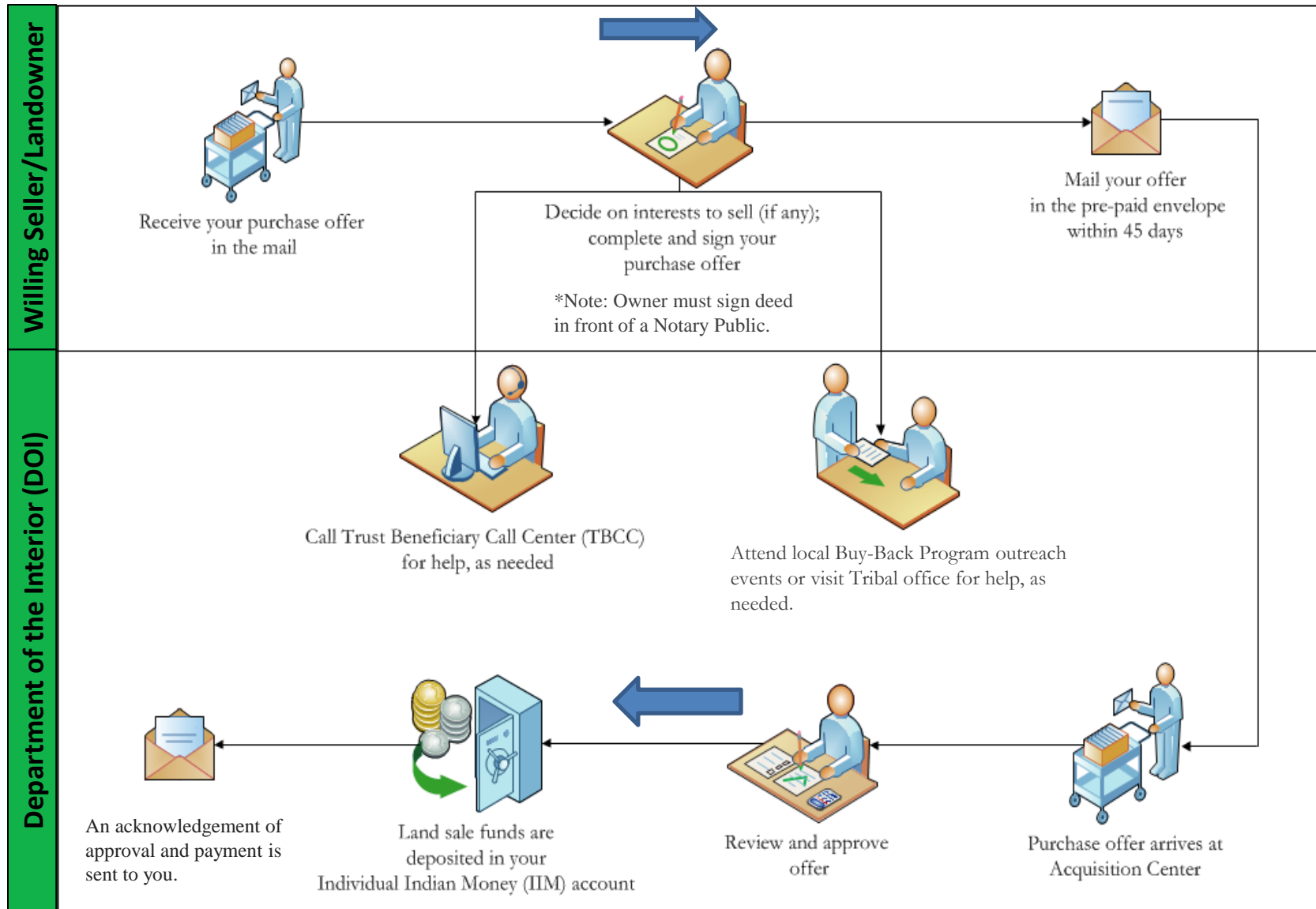
- Willing sellers complete and return the purchase offer documents, which are scanned into TAAMS for processing.
- Purchases are approved electronically by BIA, at which time payment is posted to the landowner's Individual Indian Money (IIM) account, and title automatically transfers to the tribe.
- An acknowledgement of approval and payment is sent to the landowner.

# What are the features and benefits of the new TAAMS Buy-Back Program module?



- Provides a “one-step” offer process, utilizing current ownership information in TAAMS
- Allows for mass generation of offer packages
- Standardizes process and eliminates manual activities
- Includes an approval function with automated payment transfer to IIM accounts and title transfer to the tribe
- Maintains all documents in TAAMS electronically, reducing records management costs to include staff time, storage and supplies
- Has the capability to generate data for use by tribes in identifying tribal acquisition priorities and to track tribal priority tracts
- Has the capability to generate tract maps showing the location of fractional interests

# What is the purchase offer process?



# What are important points to note about purchase offers?



- Landowners have a **set amount of time** to decide whether to sell some or all of their fractional interests.
- Completion of the deed requires notarization. Notaries will be available at outreach events.
- Offers include a \$75 base payment (in addition to the value of the land) to compensate owners for their time and effort.
- Landowners with questions about the Purchase Offer Package may contact the Trust Beneficiary Call Center (TBCC) at **1-888-678-6836** from 7:00 AM to 6:00 PM (Mountain Time) Monday through Friday, and 8:00 AM to Noon (Mountain Time) on Saturday.



# What is included in the purchase offer package?



- Cover Letter and Instructions
- One-Page Deed
- Exhibit A: Purchasable Interests Inventory (PII)
- Tract Map(s)

# Sample One-Page Deed



Land Buy Back Program for  
Tribal Nations

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS

Offer No: *(Insert Offer #)*  
Deed ID: *(Insert deed #)*

DEED TO RESTRICTED INDIAN LAND

THIS DEED, entered into this \_\_\_\_\_ day of \_\_\_\_\_ Two thousand\_\_\_\_, by and between Grantor, *(Insert Grantor Name)* Identification No.: *(Insert Identification No.)*, DOB: *(Insert DOB)*, residing at *(Insert Grantor Address)*, referred to herein as "Grantor", and the United States of America.

The Grantor, in consideration for the dollar amount(s) shown on attached Exhibit A, sells and conveys unto the United States of America in Trust for the Grantee *(Insert Tribe Name)* shown on attached Exhibit A the interests in real estate situated on the *(Insert Land Area Code and Land Area Name)* shown on the attached Exhibit A, to have and to hold said described interests unto the United States of America in Trust for the Grantee forever.

This conveyance is made pursuant to the provisions of the Indian Land Consolidation Act Amendments of 2000, Public Law 106-462, as amended by the American Indian Probate Reform Act of 2004, Public Law 108-374, and the Claims Resolution Act of 2010 (Public Law 111-291).

Grantor and his or her heirs, executors, and administrators, hereby agrees that he or she will forever warrant and defend the title of the United States of America in Trust for the Grantee in said premises against the claim of all persons, claiming or to claim by, through or under him or her only.

*(Insert Grantor Name)* \_\_\_\_\_ (SEAL)

\_\_\_\_\_  
(SEAL)

Acknowledgements must be in accordance with the forms prescribed by the State in which the land is situated.  
STATE OF \_\_\_\_\_

BE IT REMEMBERED, That on this \_\_\_\_\_ day of \_\_\_\_\_ A.D.

\_\_\_\_\_ before the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared

\_\_\_\_\_ to me personally known to be the identical person who executed the within instrument of writing, and such person duly acknowledge(s) the execution of the same and such person duly acknowledge(s) that execution of the same as his or her free and voluntary act.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal on day and year last hereinabove written.

(Seal)

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
My Commission Expires:

# Sample Purchasable Interest Inventory (PII)



United States Department of Interior  
Bureau of Indian Affairs  
Exhibit A - Purchasable Interests Inventory (PII)

Date MM/DD/YYYY

Page # of #

Grantor ID: #####

Offer/Deed ID #: #####

Grantor Name: XXXXXXXXXX

Reservation/Land Area Name: XXXXXXXXXXXXXXXXXXXX

**Base Payment:** In addition to the owner interest value price offered for any, all or some of the tracts listed in this report and chosen by you to sell, you will receive \$ 75.00 for completing the purchase offer package and deed.

☒ **Example:** Please use black or blue ink and fill in the circle(s) completely on the individual tracts you wish to sell, or you may select the "Sell all Tracts Listed Below"

Sell	Item No.	Tract ID	BIA Tract Name	Tract Resource	Total Tract Acreage	Total Owner Interest (%)	Owner Interest Value	Tract Appraisal Date	Matching Scholarship Contribution <sup>1</sup>	(Barcode)
<input type="radio"/>	Sell All Tracts Listed Below -			Total of All Owner Interests Value:			\$496.95	Total Scholarship:	\$30.00	
<input type="radio"/>	1	999 345	Walking Crane	Surface	80.00	.289%	\$389.20	XX/XX/XXXX	\$10.00	
<input type="radio"/>	2	999 650-B	Two Rivers	Both	40.00	.024%	\$74.50	XX/XX/XXXX	\$10.00	
<input type="radio"/>	3	999 780	Spotted Horse	Both	160.00	.003%	\$33.25	XX/XX/XXXX	\$10.00	

(Barcode) |||||  
Offer/Deed ID # #####

<sup>1</sup> The Claims Resolution Act of 2010 authorized matching contributions up to \$60 million, made to the Indian Education Scholarship Fund for each ownership interest purchased. A zero dollar amount in this column indicates that the Fund has reached \$60 million and no further matching contributions are being made.

# How will Acquisition activities be staffed?



- BIA has created an Acquisition Center Headquarters in the Rocky Mountain Region (Billings) with satellite offices in the Great Plains Region (Aberdeen) and Midwest Region (Minneapolis).
- Additional satellite offices, e.g. in the Southwest Region (Albuquerque), to be established if and when necessary.
- Organizational design allows for flexibility and efficiency.
- Additional staff to be hired on an “as-needed” basis.

# How will tribes participate in the Acquisition phase?



The success of the Buy-Back Program depends on tribal support and involvement, and DOI strongly encourages tribes to participate in outreach prior to and during the Acquisition phase. DOI anticipates that tribes will:

- Identify their acquisition priorities (e.g., elderly landowners, tracts in a particular area of the reservation, etc.)
- Assist in outreach to individual Indian landowners
- Enter into cooperative agreements with the Buy-Back Program

# Where can I get more information?



- The Buy-Back Program has developed a website with resources for both landowners and tribes. Visit [www.doi.gov/buybackprogram](http://www.doi.gov/buybackprogram)
- Resources include purchase offer documents and extensive FAQs.

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### Background Information

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#### Cobell Settlement Agreement

The Cobell Settlement Agreement was reached in December 2009. The Settlement provided for a \$1.9 billion Trust Land Consolidation Fund (Fund), which is available to the Secretary of the Interior within a ten-year period to purchase fractional interests in trust or restricted land.

#### Claims Resolution Act of 2010

On December 8, 2010, President Obama signed the Claims Resolution Act of 2010. The Act specifically confirmed the Cobell Settlement Agreement and established the Fund upon final approval of the Settlement in November 2012.

#### Initial Implementation Plan

The Secretary established the Land Buy-Back Program for Tribal Nations (Buy-Back Program) to implement the land consolidation aspects of the Settlement. The Initial Implementation Plan, released in December 2012, outlined the Buy-Back Program's initial approach to achieving successful land consolidation purchases. Its main purpose was to outline initial goals and priorities; summarize key parameters and operational concepts; facilitate tribal participation in the Program; describe the primary land consolidation processes (i.e., Outreach, Land Research, Valuation, and Acquisition); and lay out next steps for additional tribal consultation, public comment, and continued Buy-Back Program planning and implementation.

#### Fractionation Statistics by Reservation

Approximately 150 locations across Indian Country, which are listed in this table, are the focus of the Buy-Back Program. Locations are listed in order of land area code.

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# Contacts



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